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National

Stories from The Mercury News

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Senate vote allows World War II POWs to sue firms in Japan

BY JIM ABRAMS

Associated Press

WASHINGTON -- The Senate affirmed Monday that former American prisoners of war should have the right to sue Japanese companies that used them as slave labor during World War II.

The 58-34 Senate vote came two days after Secretary of State Colin Powell, at San Francisco ceremonies marking the 50th anniversary of the treaty that officially ended the war, said that under the treaty Japan was not required to compensate American prisoners.

Sen. Barbara Boxer, D-Calif., opposed the amendment. Sen. Dianne Feinstein, D-Calif., voted for it.

Victims of Japanese forced labor have gone to court in California and other states seeking compensation from large Japanese companies, including Mitsubishi, for their treatment during the war.

But the departments of State and Justice have

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opposed those lawsuits, filing legal briefs stating that under the 1951 peace treaty the Allied powers waived any rights to reparations from Japan.

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``The treaty dealt with this matter 50 years ago," Powell said at Saturday's anniversary event. ``It's a position we have to defend."

But the Senate measure -- introduced as an amendment to a \$41 billion spending bill for the Commerce, Justice and State departments -- would bar any funds to the State and Justice departments to oppose a civil action by a World War II POW against a Japanese person or corporation.

``Should our government be stopping a private citizen from seeking his or her day in court for a grievance?" asked Sen. Bob Smith, R-N.H., co-sponsor of the amendment with Sen. Tom Harkin, D-Iowa. ``I don't think so."

Backers of the amendment argued that the Japanese foreign minister, in a 1951 letter that was only recently made public, agreed that claims against private Japanese citizens and corporations would be permissible under the treaty.

Sen. Daniel Inouye, D-Hawaii, said the amendment would have ``very serious consequences for United States-Japan relations and sadly would sow doubt about America's word among other allies."

Of the 36,000 American servicemen captured by Japan during the war, only about 5,300 are still living. Some were forced to work for Japanese companies in mines and factories without pay, adequate food or medical care.

In July, the House approved a similar amendment to its version of the Commerce-Justice-State bill. The vote on that measure, sponsored by Reps. Dana Rohrabacher, R-Huntington Beach, and Mike Honda, D-San Jose, was 395-33.

IF YOU'RE INTERESTED

Read the Commerce-Justice-State spending bill on the Internet at <http://thomas.loc.gov/> and look for Senate bill S1215.

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